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Articles

COLLECTIVE BARGAINING: THE EXCLUSION OF "CONFIDENTIAL" AND "MANAGERIAL" EMPLOYEES

Stuart S. Mukamal 1
Jay E. Grenig

The United States Supreme Court has ruled that the "labor nexus" standard for determining the exclusion of "confidential employees" from the rights conferred by the National Labor Relations Act has a "reasonable basis in law." This article discusses the implications of the Court's decision with respect to the coverage and the availability of those rights conferred by section 7 of the Act and the public policy behind exclusions from the Act's coverage. Particular attention is devoted to a comparison between the purposes of the "confidential employee" and "managerial employee" exclusions from the Act's coverage in terms of employees' responsibilities, status, authority and duties of loyalty with respect to their employers.

EQUAL WORK, COMPARABLE WORTH AND DISPARATE TREATMENT: AN ARGUMENT FOR NARROWLY CONSTRUING *County of Washington v. Gunther*

Paul N. Cox 65

The Supreme Court's decision in *County of Washington v. Gunther* rendered the Equal Protection Act's equal work requirement inapplicable to claims of gender discrimination in compensation brought under Title VII of the Civil Rights Act. It is possible that *Gunther* will be invoked as a basis for applying the controversial theory of comparable worth to such claims. The author argues, however, that the Supreme Court's rationale in *Gunther* precludes a comparable worth theory. He then examines alternative possible means of establishing post-*Gunther* claims under Title VII in terms of that rationale.

Comments

THE PENNSYLVANIA REFORMED DIVORCE CODE: EQUITABLE DISTRIBUTION OF MARITAL PROPERTY

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In 1980, the Pennsylvania state legislature adopted the reformed Divorce Code, which provides for no-fault grounds for divorce, the award of alimony after divorce and the distribution of marital property. The author explores the provisions of the Code allowing for the distribution of marital property. The author surveys recent decisions arising under the equitable distribution provisions and attempts to bring some continuity to this quickly developing area of Pennsylvania's divorce law.

**CONTINUING CRIMINAL ENTERPRISE STATUTE: EFFECT OF
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The author discusses the application of the federal forfeiture provisions in the Continuing Criminal Enterprise Statute when property subject to forfeiture is transferred to a third party prior to an indictment. After a general discussion of section 848, the comment centers around the decisions of *United States v. Veon* and *United States v. Long*. The author advocates adherence to the *Veon* result which does not permit forfeiture once the property is transferred, before indictment, to a third party.

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